United Nations A/62/611

General Assembly

Distr.: General
24 December 2007

Original: English

Sixty-second session
Agenda item 156
Financing of the United Nations Mission for the Referendum in Western Sahara

Performance report on the budget of the United Nations Mission for the Referendum in Western Sahara for the period from 1 July 2006 to 30 June 2007

Report of the Secretary-General

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07-65674 (E) 140108

Summary

The present report contains the performance report on the budget of the United Nations Mission for the Referendum in Western Sahara (MINURSO) for the period from 1 July 2006 to 30 June 2007.

The total expenditure for MINURSO for that period has been linked to the Mission's objective through a number of results-based budgeting frameworks, grouped by components, namely, substantive civilian, military and support.

Performance of financial resources

(Thousands of United States dollars. Budget year is from 1 July 2006 to 30 June 2007.)

			Variance	
Category	*Apportionment*	*Expenditure*	*Amount*	*Percentage*
Military and police personnel	6 478.7	6 265.7	213.0	3.3
Civilian personnel	17 129.1	14 851.2	2 277.9	13.3
Operational costs	19 011.6	20 585.7	(1 574.1)	(8.3)
Gross requirements	**42 619.4**	**41 702.6**	**916.8**	**2.2**
Staff assessment income	2 206.4	1 860.7	345.7	15.7
Net requirements	**40 413.0**	**39 841.9**	**571.1**	**1.4**
Voluntary contributions in kind (budgeted)	3 315.6	2 775.9	539.7	16.3
Total requirements	**45 935.0**	**44 478.5**	**1 456.5**	**3.2**

Human resources incumbency performance

Category	*Approved*[a]	*Actual (average)*	*Vacancy rate (percentage)*[b]
Military observers	203	191	5.9
Military contingents	27	27	—
United Nations police	6	6	—
International staff	114	100	12.3
National staff	148	132	10.8
United Nations Volunteers	23	18	21.7
Temporary positions[c]			
International staff[d]	1	1	n/a
National staff[e]	1	1	n/a
Government-provided personnel	10	4	60.0

[a] Represents the highest level of authorized strength.
[b] Based on monthly incumbency and monthly strength.
[c] Funded under general temporary assistance.
[d] The position was filled in January 2007.
[e] The position was filled in March 2007.

The actions to be taken by the General Assembly are set out in section V of the present report.

I. Introduction

1. The budget for the maintenance of the United Nations Mission for the Referendum in Western Sahara (MINURSO) for the period from 1 July 2006 to 30 June 2007, set out in the report of the Secretary-General of 17 March 2006 (A/60/724), amounted to $46,120,000 gross ($43,908,600 net), inclusive of budgeted voluntary contributions in kind of $3,315,600. It provided for resource requirements for the maintenance of the Mission and the deployment of 203 military observers, 27 military contingent personnel, 6 United Nations police officers, 115 international staff, 149 national staff, 23 United Nations Volunteers and 10 Government-provided personnel. The Advisory Committee on Administrative and Budgetary Questions, in paragraph 30 of its report dated 21 June 2006 (A/60/897), recommended that the General Assembly appropriate an amount of $42,778,200 gross for the maintenance of the Mission for that period.

2. The General Assembly, by its resolution 60/280, appropriated an amount of $42,619,400 gross ($40,413,000 net) for the maintenance of the Mission for 2006/07. That amount has been assessed on Member States.

II. Mandate performance

3. The mandate of the Mission was established by the Security Council in its resolution 690 (1991) and was extended in its subsequent resolutions. The mandate for the performance period was provided by the Council in its resolutions 1675 (2006), 1720 (2006) and 1754 (2007).

4. The Mission is mandated to help the Security Council achieve an overall objective, namely, a just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara.

5. Within this overall objective, the Mission has, during the reporting period, contributed to a number of accomplishments by delivering related key outputs, shown in the frameworks below for the substantive civilian, military and support components.

6. The present report assesses actual performance against the planned results-based budgeting frameworks set out in the 2006/07 budget. In particular, the report compares the actual indicators of achievement, that is, the extent to which actual progress has been made during the period against the expected accomplishments, with the planned indicators of achievement, and the actually completed outputs with the planned outputs.

Component 1: substantive civilian

Expected accomplishment 1.1: progress towards political settlement of the final status of Western Sahara

Planned indicators of achievement	*Actual indicators of achievement*
1.1.1 25 meetings and written communications among the parties in Western Sahara — Morocco, and Frente POLISARIO and the neighbouring countries of Algeria and Mauritania (2004/2005: 0; 2005/2006: 20; 2006/2007: 25)	While there was no direct written communication between the parties, they and representatives of the neighbouring countries met once in Manhasset, New York, United States of America, on 18 and 19 June 2007 for the first direct talks in seven years

Planned outputs	*Completed (number or yes/no)*	*Remarks*
54 meetings with the African Union representation on the political situation in the region	47	Meetings attended by the African Union Senior Representative
	20	One-on-one meetings between the African Union Senior Representative and the Special Representative of the Secretary-General
Support to the Personal Envoy of the Secretary-General in the performance of his functions, including through the provision of regular briefings on the situation on the ground, periodic updates on political and security developments in the region, political analysis and advice, as well as logistical support during his visits to the region	Yes	Through the provision of daily and weekly reports, press reviews and the Joint Mission Analysis Cell reports, including analysis of the security situation in the region and elections in neighbouring States, regular direct contacts by the Special Representative of the Secretary-General, and briefings on the Manhasset talks. Logistical support provided for the coordination of meetings with local authorities consisted of air and ground transportation for the visit of Personal Envoy of the Secretary-General to the region in September 2006
Political briefings and escort for 12 visiting Member State delegations and 10 visiting non-governmental, international governmental and media organizations	13	Member State delegations
	10	Visits by non-governmental organizations and media organizations
4 reports of the Secretary-General to the Security Council	2	The Mission's mandate was renewed for a period of six months in October 2006 and in April 2007. Therefore, only two reports of the Secretary-General to the Security Council were required and prepared during the reporting period
180 summaries of local/international media for United Nations agencies and Member States in 4 languages on regional and international issues related to Western Sahara	364	Summaries of local/international media Higher number of outputs attributable to increased media coverage of the Western Sahara issue during the reporting period and the issuance of press summaries on a daily basis (morning and afternoon, on average)

Distribution of 1,000 copies of the Mission's newsletter 4 times a year to the local population	No	The Mission's newsletter was intended to inform the local population of the settlement plan. Owing to delays in its implementation, no newsletters were produced

Expected accomplishment 1.2: progress towards resolution of humanitarian issues, in particular those related to prisoners of war, refugees and persons unaccounted for

Planned indicators of achievement	*Actual indicators of achievement*
1.2.1 Increase in the number of refugee family exchange visits (2004/2005: 28; 2005/2006: 30; 2006/2007: 52)	Owing to the positions taken by the parties, family visit exchanges did not take place from July to November 2006. However, 25 family visit exchanges took place from November 2006 to June 2007, benefiting 1,480 persons
1.2.2 Parties exchange information on fate of persons unaccounted for	Work relating to the fate of persons unaccounted for was carried out by the International Committee of the Red Cross (ICRC). Owing to the sensitivity of the nature of this work, ICRC maintained complete confidentiality of information relating to its work. ICRC continued to work with the parties in accounting for persons still missing in relation to the conflict

Planned outputs	*Completed (number or yes/no)*	*Remarks*
Hosting and provision of political briefings to 4 donor meetings organized by the Office of the United Nations High Commissioner for Refugees (UNHCR) and the World Food Programme (WFP) to assess the food situation in the camps (Tindouf Liaison Office)	No	Donor meetings did not take place during the reporting period as the assistance programme to the Saharan refugees, including food distribution, was extended until the end of August 2007 The MINURSO Tindouf Liaison Office provided 7 briefings to UNHCR and WFP officials assessing the food programme for the camps
Organization of 28 meetings with United Nations and other international agencies represented in the region (UNHCR, World Health Organization (WHO), WFP, the United Nations Children's Fund (UNICEF), ICRC, the International Organization for Migration (IOM)) on resolution of humanitarian issues, including refugees assistance and illegal migration through Western Sahara	28	Meetings were held at the Tindouf Liaison Office between the United Nations and other international agencies in the region (UNHCR, WFP, UNICEF, WHO, ICRC and the European Community Humanitarian Office (ECHO)) on the resolution of humanitarian issues, including refugee assistance. During the reporting period, the issue of irregular migration was addressed in reports of the Secretary-General to the Security Council on the situation concerning Western Sahara
4 political analysis/recommendation reports for the parties on persons unaccounted for and refugees	No	MINURSO did not provide political analysis/recommendation reports for the parties. However, 4 political briefings were provided to ICRC. ICRC continued to work with the parties in accounting for persons still missing in relation to the conflict

		During the reporting period, information on the refugee situation was reflected in the reports of the Secretary-General to the Security Council on the situation concerning Western Sahara
22 press releases in support of the confidence-building measures, including for the funding appeals of the Office of the United Nations High Commissioner for Refugees	1	MINURSO issued 1 press release reiterating the Mission's support for the confidence-building measures on the occasion of the International Day of Peace on 21 September 2006. Fewer press releases than expected were issued owing to the suspension of family visits because of the positions taken by the parties. The press release on the resumption of family visit exchanges in November 2006 was not issued owing to the positions taken by the parties Since March 2007, UNHCR has issued newsletters to the friends of the confidence-building measures programme, including on support for the confidence-building measures and appeals for funding
Logistical support for the continuation of confidence-building measures between the parties, including escorting 52 refugee family exchange visits	Yes	MINURSO provided fixed-wing aircraft, ground transportation, medical services and United Nations police escort to families in support of the confidence-building measures programme As a result of positions taken by the parties and the suspension of the family visit exchanges from November 2006 to June 2007, only 25 escorted refugee family exchange visits took place, benefiting 1,480 persons

Component 2: military

Expected accomplishment 2.1: compliance of the parties with the ceasefire agreement

Planned indicators of achievement	*Actual indicators of achievement*
2.1.1 Zero serious violations of ceasefire and military agreements (2004/2005: 90; 2005/2006: 2; 2006/2007: 0)	Achieved
2.1.2 Participation of the parties to the ceasefire agreement in the Joint Military Verification Commission meetings (2004/2005: N/A; 2005/2006: 100%; 2006/2007: 100%)	No meetings were held owing to the positions taken by the parties

Planned outputs	*Completed (number or yes/no)*	*Remarks*
Bimonthly liaison meetings with local commanders and high-ranking military officers from both parties	17	Liaison meetings were conducted by the MINURSO Force Commander

23,360 United Nations military observer mobile patrol person days (4 United Nations military observers per patrol, 16 patrols per day for 365 days)	33,580	Patrol person days (4 United Nations military observers per patrol, 23 patrols per day for 365 days) The number of outputs was higher than planned owing to changes in the Mission's military structure and procedure which enhanced the operational efficiency of MINURSO and improved its ability to monitor the maintenance of the ceasefire
208 United Nations military observers liaisons "day visits" to units and headquarters of the armed forces of both parties (4 United Nations military observers per visit, 1 visit per week for 52 weeks)	Yes	Through 8,606 ground and 548 air patrols
733 air-patrol hours from 9 team sites for inspection of 4,312 military units of both parties (20.36 hours per helicopter per month, 3 helicopters for 12 months)	1,089	Air-patrol hours (30.25 hours per helicopter per month, 3 helicopters for 12 months) The output was higher than planned owing to more emphasis being placed on helicopter reconnaissance operations
Investigations of alleged violations of ceasefire agreements by either party, as required	Yes	28 allegations investigated

Expected accomplishment 2.2: reduction in mine threats on both sides of the berm

Planned indicators of achievement	*Actual indicators of achievement*
2.2.1 Zero persons killed/injured by exploded mine/ordnance (2004/2005: 2; 2005/2006: 0; 2006/2007: 0)	Achieved. No reported accidents involving the civilian population or MINURSO personnel

Planned outputs	*Completed (number or yes/no)*	*Remarks*
Marking of unexploded ordnance and monitoring of disposal operations of both parties and mine action non-governmental organizations (NGOs)	201	Mines/unexploded ordnance marked by MINURSO
	19,137	MINURSO monitored the destruction of mines/ unexploded ordnance and expired ammunition by the parties
Updated mine surveys and maps on mines and unexploded ordnance made available to the parties, mine action NGOs and the local population	Yes	Database for mines and unexploded ordnance maintained on a monthly basis, with recorded information reflected in the maps produced by the Mission's Geographic Information System cell First stage of the introduction of the Information Management System for Mine Action, a dedicated mine-action database, was under implementation during the reporting period through the training of a

	staff member at the Geneva International Centre for Humanitarian Demining, in coordination with the United Nations Mine Action Service (UNMAS). The database is shared with parties on both sides of the berm

Component 3: support

Expected accomplishment 3.1: effective and efficient logistical, administrative and security support to the Mission

Planned indicators of achievement	*Actual indicators of achievement*
3.1.1 Reduction in the average cost per bank transfer.	Achieved. Average cost per bank transfer was reduced from $9 in 2005/06 to $5 in 2006/07

Planned outputs	*Completed (number or yes/no)*	*Remarks*
Service improvements		
Implementation of an electronic bank transfer system	Yes	The Chase Insight Electronic Funds Transfer System was installed and fully operational from 1 October 2006, resulting in the reduction in bank charges for transfers, a lower number of rejected electronic fund transfers and faster credit of funds into beneficiaries' bank accounts (staff received funds transfer on the date requested) with a high level of staff and client satisfaction and a low level of customer complaints
Military personnel		
Emplacement, rotation and repatriation for an average strength of 230 military personnel and civilian police officers	224	Average strength of military and police personnel in the Mission The lower than planned average strength of military and police personnel attributable to delayed deployment of military observers
Supply and storage of rations and bottled water for an average strength of 230 military personnel, 115 international staff, 23 United Nations Volunteers and 6 civilian police officers	218	Average strength of military personnel (Meals Ready to Eat (MREs)) and bottled water stored at 9 team sites
	100	International staff were supplied bottled water monthly
	18	United Nations Volunteers were supplied bottled water monthly
	6	United Nations police officers were supplied bottled water monthly

Civilian personnel		
Administration of an average number of 115 international staff, 149 national staff and 23 United Nations Volunteers	100	International staff (average strength)
	132	National staff (average strength)
	18	United Nations Volunteers (average strength)
		The lower than planned deployment of civilian personnel was due to an overall higher actual vacancy rate for civilian personnel than budgeted
Implementation of a conduct and discipline programme for all military, police and civilian personnel, including training, prevention, monitoring and disciplinary action	Yes	Mandatory training on the prevention of sexual exploitation and abuse and code of conduct for an average of 276 staff, including military personnel, United Nations police, international civilian staff and national staff
Facilities and infrastructure		
Maintenance and repair of 16 facilities and 300 prefabricated buildings in 11 locations	16	Facilities
	300	Prefabricated buildings
	11	Locations
Operation and maintenance of 44 generators in 16 facilities	44	Generators
	16	Facilities
Maintenance of 8 runways and 8 helipads	4	Runways
	8	Helipads
		The 4 remaining runways were not maintained because they were closed during the reporting period owing to the heavy rainfall in the Mission area
Ground transportation		
Operation and maintenance of 307 vehicles	307	Vehicles
Air transportation		
Operation and maintenance of 3 fixed-wing and 3 rotary-wing aircraft	3	Fixed-wing aircraft
	3	Rotary-wing aircraft
Communications		
Support and maintenance of 4 PABX telephone systems, 13 satellite Earth stations, 200 VHF, 165 HF and microwave communication systems in 12 locations, including confidence-building measures project	4	PABX telephone systems
	13	12 satellite Earth stations and 1 stand-alone repeater maintained
	365	Items of HF and VHF radio equipment, including repeaters at team sites and installed in vehicles
	12	Locations

Information technology		
Support and maintenance of wide-area network, 410 desktops, 66 laptops, 174 printers and 28 servers in 12 locations	410	Desktops
	66	Laptops
	175	Printers
	28	Servers
	12	Locations
Medical		
Operation and maintenance of level-I medical services for Mission personnel and local civilian population in emergency cases	Yes	A total of 2,948 patients (military observers, civilian personnel and local civilian population) received medical consultation and treatment; 1 medical evacuation and 2 casualty evacuations were conducted involving 2 military observers and 1 local civilian personnel
Maintenance of Mission-wide land and air evacuation arrangement for all United Nations locations, including to level-III hospitals in Casablanca and Las Palmas	Yes	Memorandums of understanding were signed with Al-Hakim Hospital and California Clinic in Las Palmas (level-III medical facilities) and in Casablanca As at 30 June 2007, a memorandum of understanding was under negotiation with the Hospital de Gran Canaria
Operation and maintenance of HIV voluntary confidential counselling and testing facilities for all personnel	Yes	HIV screening test facilities operated and maintained at the Mission's level-I medical clinic
HIV sensitization programme for all personnel, including peer education	Yes	HIV/AIDS awareness presentations for all military observers and civilian staff members were conducted during induction training programmes 3 HIV/AIDS Task Force sensitization meetings were held for civilian and uniformed personnel
Security		
Provision of guard services 24 hours a day, 7 days a week, at 3 MINURSO sites	Yes	38 security personnel provided guard services 24 hours a day, 7 days a week at 6 facilities in 4 locations In addition, a revised security plan was completed in April 2007. The training of all new staff on security matters took place, and 200 personnel were provided with security briefings and warden system training

III. Resource performance

A. Financial resources

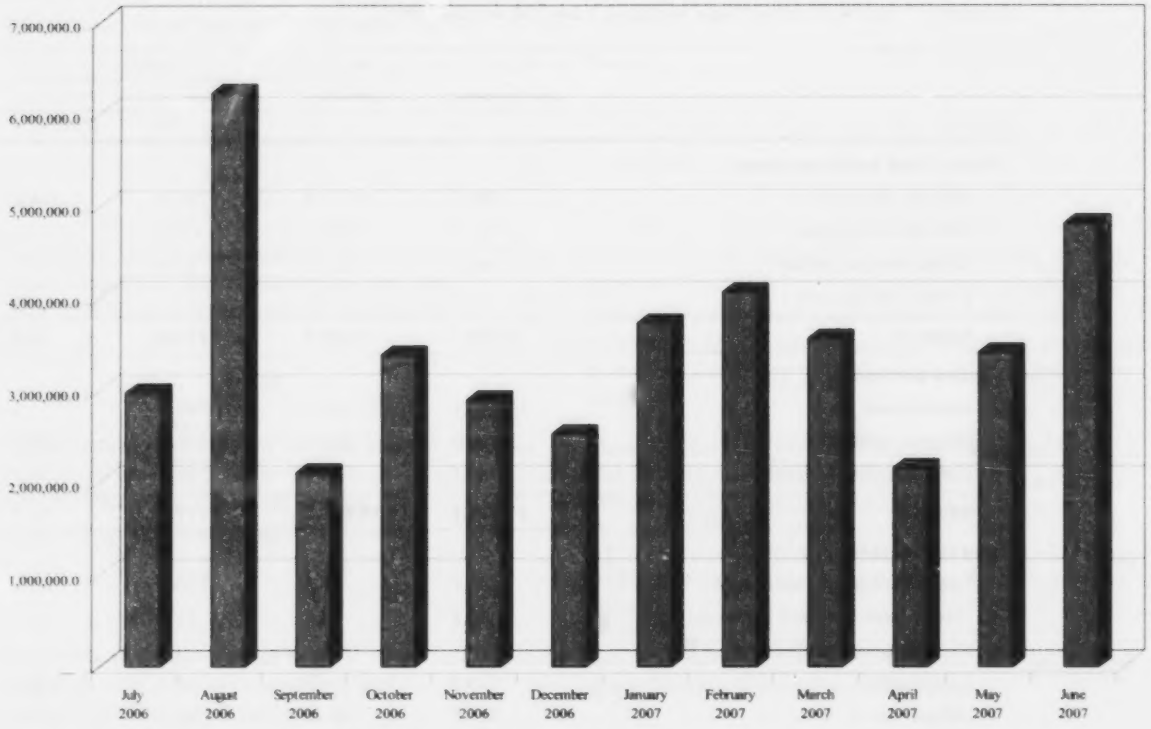
(Thousands of United States dollars. Budget year is from 1 July 2006 to 30 June 2007.)

			Variance	
	Apportionment	*Expenditure*	*Amount*	*Percentage*
Category	*(1)*	*(2)*	*(3)=(1)-(2)*	*(4)=(3)÷(1)*
Military and police personnel				
Military observers	5 598.2	5 331.8	266.4	4.8
Military contingents	715.4	806.7	(91.3)	(12.8)
United Nations police	165.1	127.2	37.9	23.0
Formed police units	—	—	—	—
Subtotal	**6 478.7**	**6 265.7**	**213.0**	**3.3**
Civilian personnel				
International staff	13 386.1	11 845.7	1 540.4	11.5
National staff	2 960.9	2 258.6	702.3	23.7
United Nations Volunteers	782.1	746.9	35.2	4.5
Subtotal	**17 129.1**	**14 851.2**	**2 277.9**	**13.3**
Operational costs				
General temporary assistance	188.1	67.5	120.6	64.1
Government-provided personnel	45.8	34.5	11.3	24.7
Civilian electoral observers	—	—	—	—
Consultants	3.0	—	3.0	100.0
Official travel	336.2	360.9	(24.7)	(7.3)
Facilities and infrastructure	2 843.7	4 395.3	(1 551.6)	(54.6)
Ground transportation	1 555.0	1 919.2	(364.2)	(23.4)
Air transportation	11 313.8	10 600.1	713.7	6.3
Naval transportation	—	—	—	—
Communications	1 181.2	1 166.1	15.1	1.3
Information technology	658.4	621.9	36.5	5.5
Medical	139.0	100.2	38.8	27.9
Special equipment	—	—	—	—
Other supplies, services and equipment	747.4	1 320.0	(572.6)	(76.6)
Quick-impact projects	—	—	—	—
Subtotal	**19 011.6**	**20 585.7**	**(1 574.1)**	**(8.3)**
Gross requirements	**42 619.4**	**41 702.6**	**916.8**	**2.2**
Staff assessment income	2 206.4	1 860.7	345.7	15.7
Net requirements	**40 413.0**	**39 841.9**	**571.1**	**1.4**
Voluntary contributions in kind[a] (budgeted)	3 315.6	2 775.9	539.7	16.3
Total requirements	**45 935.0**	**44 478.5**	**1 456.5**	**3.2**

[a] Includes $438,000 from the Government of Algeria, $2,301,900 from the Government of Morocco and $36,000 from the Frente POLISARIO

B. Monthly expenditure pattern

(Thousands of United States dollars)



7. The expenditure peak in August 2006 was due mainly to the raising of purchase orders for the rental of commercial aircraft and aviation fuel. Increased expenditures in February 2007 were attributable mainly to the raising of purchase orders for the acquisition of vehicles and disbursements for rations. Finally, expenditures in June 2007 reflected disbursements in connection with the payment of invoices for the acquisition of vehicles and equipment and disbursements for air transportation services and supplies and services provided by vendors.

C. Other income and adjustments

(Thousands of United States dollars)

Category	*Amount*
Interest income	277.6
Other/miscellaneous income	230.2
Voluntary contributions in cash	—
Prior-period adjustments	(1.2)
Savings on or cancellation of prior-period obligations	1 480.3
Total	**1 986.9**

D. Expenditure for contingent-owned equipment: major equipment and self-sustainment

(Thousands of United States dollars)

Category	*Expenditure*
Major equipment	
Military contingents	78.3
Subtotal	**78.3**
Self-sustainment	
Facilities and infrastructure	1.4
Communications	—
Medical	64.0
Special equipment	—
Subtotal	**65.4**
Total	**143.7**

Mission factors	*Percentage*	*Effective date*	*Last review date*
A. Applicable to Mission area			
Extreme environmental condition factor	1.9	1998	1998
Intensified operational condition factor	1.5	1998	1998
Hostile action/forced abandonment factor	2.1	1998	1998

E. Value of non-budgeted contributions

(Thousands of United States dollars)

Category	*Actual value*
Status-of-mission agreement[a]	2 108.7
Voluntary contributions in kind (non-budgeted)	—
Total	**2 108.7**

[a] Accommodations provided by the Governments of Algeria and Morocco.

IV. Analysis of variances[1]

	Variance	
Military observers	$266.4	4.8%

8. The unutilized balance was attributable mainly to the higher average actual vacancy rate of 6 per cent, compared with 2 per cent applied in the budget, owing to the delayed deployment of military observers.

	Variance	
Military contingents	($91.3)	(12.8%)

9. The additional requirements were attributable mainly to the unplanned replacement of the medical unit personnel with personnel from a new troop-contributing Government. While the budget provided for one rotation per year of medical unit personnel, the actual expenditures reflected additional requirements for the repatriation and emplacement of medical unit personnel.

	Variance	
United Nations police	$37.9	23.0%

10. The unutilized balance was due mainly to the cancellation of obligations raised for the United Nations police personnel death and disability compensation payments, as there were no cases reported of death or injury during the budget period.

	Variance	
International staff	$1 540.4	11.5%

11. The unutilized balance was attributable to an overall actual vacancy rate of 12.3 per cent owing to the delayed recruitment of international staff compared with a 5 per cent vacancy rate applied in the budget.

	Variance	
National staff	$702.3	23.7%

12. The unutilized balance was attributable mainly to an overall actual vacancy rate of 10.8 per cent for national staff owing to the delayed recruitment of national staff compared with a 5 per cent vacancy rate applied in the budget.

	Variance	
General temporary assistance	$120.6	64.1%

13. The unutilized balance is attributable to delays in identifying and recruiting suitable personnel for the Conduct and Discipline Team, as a result of which the

[1] Resource variance amounts are expressed in thousands of United States dollars. Analysis is provided for variances of at least plus or minus 5 per cent or $100,000.

international position for the team was filled in January 2007, while the national staff position was filled in March 2007.

	Variance	
Government-provided personnel	$11.3	24.7%

14. The unutilized balance was due to the fact that neither repatriation nor rotation took place for the Government-provided personnel deployed during the reporting period.

	Variance	
Consultants	$3.0	100%

15. The unutilized balance was due to the fact that the consultant services budgeted under this heading for HIV training were actually funded from the trust fund to support programmes on HIV/AIDS and peacekeeping.

	Variance	
Official travel	($24.7)	(7.3%)

16. Additional requirements were due mainly to increased travel within the Mission area, in particular for inspections and repair and maintenance of military accommodation in the team sites.

	Variance	
Facilities and infrastructure	($1 551.6)	(54.6%)

17. The additional requirements resulted mainly from the implementation of security enhancement projects, such as the construction of perimeter walls at the Mission headquarters, the following recommendations made by the Department of Safety and Security in its management assessment report for the Mission, as well as owing to expenditures incurred for the rehabilitation of two runways/airfields in Mahbas and Awsard to ensure safe landing and take-off of aircraft, since the runways had rapidly deteriorated from the effects of heavy rainfall. The additional requirements also resulted from unbudgeted requirements for the acquisition of observation towers for the team sites for military personnel.

	Variance	
Ground transportation	($364.2)	(23.4%)

18. Additional requirements were attributable mainly to the acquisition, owing to operational requirements, of three aviation fuel trucks, while the budget provided for the acquisition of one diesel fuel truck and one aviation fuel truck.

	Variance	
Air transportation	$713.7	6.3%

19. The unutilized balance resulted mainly from the lower than planned number of hours flown by the fixed-wing aircraft. While the budget provision for the rental of fixed-wing aircraft was based on 2,425 flying hours, as a result of the temporary closure of four deteriorated airfields owing to heavy rainfall in the Mission area, the Mission required only 2,075 flight hours, with related reduced requirements for aviation fuel, oil and lubricants.

20. In addition, expenditures under this heading also reflected reimbursements received from UNHCR for the flight hours provided by MINURSO in support of the programme of exchange visits as part of the confidence-building measures programme.

	Variance	
Information technology	$36.5	5.5%

21. The unutilized balance was due mainly to the reimbursement received from UNHCR for information technology services provided by MINURSO in support of the programme of exchange visits as part of the confidence-building measures programme.

	Variance	
Medical	$38.8	27.9%

22. The unutilized balance was a result of the lower than budgeted cost of medical services, as there were no major incidents involving injury to Mission personnel during the reporting period, and no claims were submitted for the reimbursement of medical expenses by military personnel.

	Variance	
Other supplies, services and equipment	($572.6)	(76.6%)

23. The unbudgeted expenditures reflect the requirements for the financing of the Procurement Task Force established by the Office of Internal Oversight Services as well as the recording in the Mission's accounts of the loss on exchange attributable to the fluctuation of the United States dollar versus convertible currencies.

V. Actions to be taken by the General Assembly

24. **The actions to be taken by the General Assembly in connection with the financing of MINURSO are:**

(a) **To decide on the treatment of the unencumbered balance of $916,800 with respect to the period from 1 July 2006 to 30 June 2007;**

(b) **To decide on the treatment of other income for the period ended 30 June 2007 amounting to $1,986,900 from interest income ($277,600), other/miscellaneous income ($230,200) and savings on or cancellation of prior-period obligations ($1,480,300), offset by prior-period adjustments ($1,200).**

United Nations A/62/612

General Assembly

Distr.: General
28 December 2007

Original: English

Sixty-second session
Agenda items 128 and 99 (c)

Proposed programme budget for the biennium 2008-2009

Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly: United Nations Regional Centre for Peace and Disarmament in Africa

United Nations Regional Centre for Peace and Disarmament in Africa

Programme budget implications of draft resolution A/C.1/62/L.24/Rev.1

Report of the Fifth Committee

Rapporteur: Mr. Steven Ssenabulya **Nkayivu** (Uganda)

1. At its 23rd and 26th meetings on 17 and 21 December 2007, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement submitted by the Secretary-General (A/C.5/62/10) on the programme budget implications of draft resolution A/C.1/62/L.24/Rev.1. At the 23rd meeting, the Chairman of the Advisory Committee on Administrative and Budgetary Questions introduced the related report of that Committee (A/62/7/Add.17). The draft decision submitted by the Chairman following informal consultations was before the Committee (see para. 3).

2. The statements and comments made in the course of the Fifth Committee's consideration of this question are reflected in the relevant summary records (A/C.5/62/SR.23 and 26).

Decision of the Fifth Committee

3. The Fifth Committee, having considered the statement of programme budget implications submitted by the Secretary-General[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2] decides to inform the General Assembly that, should it adopt draft resolution A/C.1/62/L.24/Rev.1,

[1] A/C.5/62/10.
[2] A/62/7/Add.17.

07-66120 (E) 281207

additional requirements amounting to $360,200 would be required under section 4, Disarmament ($322,300), and section 35, Staff assessment ($37,900), to be offset by the same amount under Income section 1, Income from staff assessment, of the proposed programme budget for the biennium 2008-2009. These additional appropriations for the biennium 2008-2009 would be considered by the Assembly in accordance with the procedures for the use and operation of the contingency fund.

United Nations A/62/613

General Assembly

Distr.: General
28 December 2007

Original: English

Sixty-second session
Agenda items 128 and 65

Proposed programme budget for the biennium 2008-2009

Report of the Human Rights Council

Report of the Human Rights Council

Programme budget implications of draft resolution A/C.3/62/L.84

Report of the Fifth Committee

Rapporteur: Mr. Steven Ssenabulya **Nkayivu** (Uganda)

1. At its 23rd and 26th meetings on 17 and 21 December 2007, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement submitted by the Secretary-General (A/C.5/62/12) on the programme budget implications of draft resolution A/C.3/62/L.84. At the 23rd meeting, the Chairman of the Advisory Committee on Administrative and Budgetary Questions introduced the related report of that Committee (A/62/7/Add.26). The draft decision submitted by the Chairman following informal consultations was before the Committee (see para. 3).

2. The statements and comments made in the course of the Fifth Committee's consideration of this question are reflected in the relevant summary records (A/C.5/62/SR.23 and 26).

Decision of the Fifth Committee

3. The Fifth Committee, having considered the statement of programme budget implications submitted by the Secretary-General[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2] decides to inform the General Assembly that, should it adopt draft resolution A/C.3/62/L.84, additional requirements amounting to $3,988,800 would arise under section 23, Human rights ($3,114,800), section 2, General Assembly and Economic and Social Council affairs and conference management ($874,000), and section 35, Staff

[1] A/C.5/62/12.
[2] A/62/7/Add.26.

07-66132 (E) 281207

assessment ($438,600), to be offset by an equivalent amount under income section 1, Income from staff assessment, of the proposed programme budget for the biennium 2008-2009. These additional appropriations for the biennium 2008-2009 would be considered by the Assembly in accordance with the procedures for the use and operation of the contingency fund.

United Nations A/62/614

General Assembly

Distr.: General
28 December 2007

Original: English

Sixty-second session
Agenda items 128 and 70 (c)

Proposed programme budget for the biennium 2008-2009

Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Situation of human rights in Myanmar

Programme budget implications of draft resolution A/C.3/62/L.41/Rev.1

Report of the Fifth Committee

Rapporteur: Mr. Steven Ssenabulya **Nkayivu** (Uganda)

1. At its 23rd and 26th meetings on 17 and 21 December 2007, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement submitted by the Secretary-General (A/C.5/62/13) on the programme budget implications of draft resolution A/C.3/62/L.41/Rev.1. At the 23rd meeting, the Chairman of the Advisory Committee on Administrative and Budgetary Questions introduced the related report of that Committee (A/62/7/Add.18). The draft decision submitted by the Chairman following informal consultations was before the Committee (see para. 3).

2. The statements and comments made in the course of the Fifth Committee's consideration of this question are reflected in the relevant summary records (A/C.5/62/SR.23 and 26).

Decision of the Fifth Committee

3. The Fifth Committee, having considered the statement of programme budget implications submitted by the Secretary-General[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2] decides to inform the General Assembly that, should it adopt draft resolution A/C.3/62/L.41/Rev.1,

[1] A/C.5/62/13.
[2] A/62/7/Add.18.

07-66138 (E) 281207

additional requirements of $781,900 would be charged against the provision for special political missions included under section 3, Political affairs, of the proposed programme budget for the biennium 2008-2009. These requirements have been included in the report of the Secretary-General on estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council.[3]

[3] A/62/512/Add.1.

United Nations A/62/615

General Assembly

Distr.: General
28 December 2007

Original: English

Sixty-second session
Agenda items 128 and 31

Proposed programme budget for the biennium 2008-2009

International cooperation in the peaceful uses of outer space

International cooperation in the peaceful uses of outer space

Programme budget implications of draft resolution A/C.4/62/L.9

Report of the Fifth Committee

Rapporteur: Mr. Steven Ssenabulya **Nkayivu** (Uganda)

1. At its 23rd and 26th meetings on 17 and 21 December 2007, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement submitted by the Secretary-General (A/C.5/62/14) on the programme budget implications of draft resolution A/C.4/62/L.9. At the 23rd meeting, the Chairman of the Advisory Committee on Administrative and Budgetary Questions introduced the related report of that Committee (A/62/7/Add.22). The draft decision submitted by the Chairman following informal consultations was before the Committee (see para. 3).

2. The statements and comments made in the course of the Fifth Committee's consideration of this question are reflected in the relevant summary records (A/C.5/62/SR.23 and 26).

Decision of the Fifth Committee

3. The Fifth Committee, having considered the statement of programme budget implications submitted by the Secretary-General[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2] decides to inform the General Assembly that, should it adopt draft resolution A/C.4/62/L.9, additional requirements amounting to $682,000 would be required under section 6, Peaceful uses of outer space ($604,000), and section 35, Staff assessment ($78,000), to be offset by an equivalent amount under section 1, Income from staff assessment,

[1] A/C.5/62/14.
[2] A/62/7/Add.22.

07-66144 (E) 281207

of the proposed programme budget for the biennium 2008-2009. These additional appropriations for the biennium 2008-2009 would be considered by the Assembly in accordance with the procedures for the use and operation of the contingency fund.

United Nations A/62/616

General Assembly

Distr.: General
27 December 2007

Original: English

Sixty-second session
Agenda items 128 and 63 (a)

Proposed programme budget for the biennium 2008-2009

Advancement of women

Convention on the Elimination of All Forms of Discrimination against Women

Programme budget implications of draft resolution A/C.3/62/L.20/Rev.1

Report of the Fifth Committee

Rapporteur: Mr. Steven Ssenabulya **Nkayivu** (Uganda)

1. At its 23rd and 26th meetings on 17 and 21 December 2007, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement submitted by the Secretary-General (A/C.5/62/15) on the programme budget implications of draft resolution A/C.3/62/L.20/Rev.1. At the 23rd meeting, the Chairman of the Advisory Committee on Administrative and Budgetary Questions introduced the related report of that Committee (A/62/7/Add.21). The draft decision submitted by the Chairman following informal consultations was before the Committee (see para. 3).

2. The statements and comments made in the course of the Fifth Committee's consideration of this question are reflected in the relevant summary records (A/C.5/62/SR.23 and 26).

Decision of the Fifth Committee

3. The Fifth Committee, having considered the statement of programme budget implications submitted by the Secretary-General[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2] decides to inform the General Assembly that, should it adopt draft resolution

[1] A/C.5/62/15.
[2] A/62/7/Add.21.

07-66150 (E) 281207

A/C.3/62/L.20/Rev.1, additional resources in the total amount of $10,772,850 would be required under section 23, Human rights ($415,450), and section 2, General Assembly and Economic and Social Council affairs and conference management ($10,357,400), of the proposed programme budget for the biennium 2008-2009. These additional appropriations for the biennium 2008-2009 would be considered by the Assembly in accordance with the procedures for the use and operation of the contingency fund.

United Nations A/62/617

General Assembly

Distr.: General
28 December 2007

Original: English

Sixty-second session
Agenda items 128 and 77 (a)

Proposed programme budget for the biennium 2008-2009

Oceans and the law of the sea

Oceans and the law of the sea

Programme budget implications of draft resolution A/62/L.27

Report of the Fifth Committee

Rapporteur: Mr. Steven Ssenabulya **Nkayivu** (Uganda)

1. At its 24th and 26th meetings on 18 and 21 December 2007, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement submitted by the Secretary-General (A/C.5/62/16) on the programme budget implications of draft resolution A/62/L.27. At the 24th meeting, the Chairman of the Advisory Committee on Administrative and Budgetary Questions introduced the related report of that Committee (A/62/7/Add.27). The draft decision submitted by the Chairman following informal consultations was before the Committee (see para. 3).

2. The statements and comments made in the course of the Fifth Committee's consideration of this question are reflected in the relevant summary records (A/C.5/62/SR.24 and 26).

Decision of the Fifth Committee

3. The Fifth Committee, having considered the statement of programme budget implications submitted by the Secretary-General[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2] decides to inform the General Assembly that, should it adopt draft resolution A/62/L.27, additional requirements amounting to $1,962,100 would be required under section 8, Legal affairs, of the proposed programme budget for the biennium 2008-2009. This additional appropriation for the biennium 2008-2009 would be considered by the Assembly in accordance with the procedures for the use and operation of the contingency fund.

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[1] A/C.5/62/16.

[2] A/62/7/Add.27.

07-66156 (E) 281207

United Nations A/62/618

General Assembly

Distr.: General
27 December 2007

Original: English

Sixty-second session
Agenda items 128 and 70 (b)

Proposed programme budget for the biennium 2008-2009

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Subregional Centre for Human Rights and Democracy in Central Africa

Programme budget implications of draft resolution A/C.3/62/L.44

Report of the Fifth Committee

Rapporteur: Mr. Steven Ssenabulya **Nkayivu** (Uganda)

1. At its 23rd and 26th meetings on 17 and 21 December 2007, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement submitted by the Secretary-General (A/C.5/62/17) on the programme budget implications of draft resolution A/C.3/62/L.44. At the 23rd meeting, the Chairman of the Advisory Committee on Administrative and Budgetary Questions introduced the related report of that Committee (A/62/7/Add.20). The draft decision submitted by the Chairman following informal consultations was before the Committee (see para. 3).

2. The statements and comments made in the course of the Fifth Committee's consideration of this question are reflected in the relevant summary records (A/C.5/62/SR.23 and 26).

Decision of the Fifth Committee

3. The Fifth Committee, having considered the statement of programme budget implications submitted by the Secretary-General[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2] decides to

[1] A/C.5/62/17.
[2] A/62/7/Add.20.

07-66165 (E) 020108

inform the General Assembly that, should it adopt draft resolution A/C.3/62/L.44, additional requirements totalling $573,600 under section 23, Human rights ($520,100), and section 35, Staff assessment ($53,500), to be offset by an equivalent amount under Income section 1, Income from staff assessment, of the proposed programme budget for the biennium 2008-2009, should be accommodated within the existing resources provided for in the proposed programme budget for the biennium 2008-2009, under section 23, Human rights.

United Nations A/62/619

General Assembly

Distr.: General
27 December 2007

Original: English

Sixty-second session
Agenda items 128 and 70 (b)

Proposed programme budget for the biennium 2008-2009

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

The right to development

Programme budget implications of draft resolution A/C.3/62/L.49

Report of the Fifth Committee

Rapporteur: Mr. Steven Ssenabulya **Nkayivu** (Uganda)

1. At its 23rd and 26th meetings on 17 and 21 December 2007, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement submitted by the Secretary-General (A/C.5/62/18) on the programme budget implications of draft resolution A/C.3/62/L.49. At the 23rd meeting, the Chairman of the Advisory Committee on Administrative and Budgetary Questions introduced the related report of that Committee (A/62/7/Add.19). The draft decision submitted by the Chairman following informal consultations was before the Committee (see para. 3).

2. The statements and comments made in the course of the Fifth Committee's consideration of this question are reflected in the relevant summary records (A/C.5/62/SR.23 and 26).

Decision of the Fifth Committee

3. The Fifth Committee, having considered the statement of programme budget implications submitted by the Secretary-General[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2] decides to inform the General Assembly that adoption of draft resolution A/C.3/62/L.49 will not give rise to additional resource requirements under section 2, General Assembly

[1] A/C.5/62/18.
[2] A/62/7/Add.19.

07-66177 (E) 020108

Affairs and Economic and Social Council Affairs and conference management; section 23, Human Rights; and section 28E, Administration, Geneva, of the proposed programme budget for the biennium 2008-2009.

United Nations A/62/620

General Assembly

Distr.: General
28 December 2007

Original: English

Sixty-second session
Agenda items 128 and 116

Proposed programme budget for the biennium 2008-2009

Follow-up to the outcome of the Millennium Summit

Global Forum on Migration and Development

Programme budget implications of draft resolution A/62/L.25

Report of the Fifth Committee

Rapporteur: Mr. Steven Ssenabulya **Nkayivu** (Uganda)

1. At its 23rd and 26th meetings on 17 and 21 December 2007, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement submitted by the Secretary-General (A/C.5/62/19) on the programme budget implications of draft resolution A/62/L.25. At the 23rd meeting, the Chairman of the Advisory Committee on Administrative and Budgetary Questions introduced the related report of that Committee (A/62/7/Add.23). The draft decision submitted by the Chairman following informal consultations was before the Committee (see para. 3).

2. The statements and comments made in the course of the Fifth Committee's consideration of this question are reflected in the relevant summary records (A/C.5/62/SR.23 and 26).

Decision of the Fifth Committee

3. The Fifth Committee, having considered the statement of programme budget implications submitted by the Secretary-General[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2] decides to inform the General Assembly that, should it adopt draft resolution A/62/L.25,

[1] A/C.5/62/19.
[2] A/62/7/Add.23.

07-66183 (E) 020108

additional requirements of $110,000 would be met within the overall appropriations under section 9, Economic and social affairs, of the proposed programme budget for the biennium 2008-2009, and also decides to report thereon in the context of the performance report of the United Nations for the biennium 2008-2009.

United Nations A/62/621

General Assembly

Distr.: General
28 December 2007

Original: English

Sixty-second session
Agenda items 128 and 64 (a)

Proposed programme budget for the biennium 2008-2009

New Partnership for Africa's Development: progress in implementation and international support

New Partnership for Africa's Development: modalities, format and organization of the high-level meeting on Africa's development needs

Programme budget implications of draft resolution A/62/L.29

Report of the Fifth Committee

Rapporteur: Mr. Steven Ssenabulya **Nkayivu** (Uganda)

1. At its 23rd and 26th meetings on 17 and 21 December 2007, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement submitted by the Secretary-General (A/C.5/62/20) on the programme budget implications of draft resolution A/62/L.29. At the 23rd meeting, the Chairman of the Advisory Committee on Administrative and Budgetary Questions introduced the related report of that Committee (A/62/7/Add.24). The draft decision submitted by the Chairman following informal consultations was before the Committee (see para. 3).

2. The statements and comments made in the course of the Fifth Committee's consideration of this question are reflected in the relevant summary records (A/C.5/62/SR.23 and 26).

Decision of the Fifth Committee

3. The Fifth Committee, having considered the statement of programme budget implications submitted by the Secretary-General[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2] decides to

[1] A/C.5/62/20.
[2] A/62/7/Add.24.

07-66189 (E) 020108

inform the General Assembly that, should it adopt draft resolution A/62/L.29, additional resources amounting to $86,000 would be required under section 11, United Nations support for the New Partnership for Africa's Development, of the proposed programme budget for the biennium 2008-2009. This additional appropriation for the biennium 2008-2009 would be considered by the Assembly in accordance with the procedures for the use and operation of the contingency fund.

United Nations A/62/622

General Assembly

Distr.: General
27 December 2007

Original: English

Sixty-second session
Agenda items 128 and 68 (b)

Proposed programme budget for the biennium 2008-2009

Elimination of racism and racial discrimination: comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Programme budget implications of draft resolution A/C.3/62/L.65/Rev.1 (as orally revised)

Report of the Fifth Committee

Rapporteur: Mr. Steven Ssenabulya **Nkayivu** (Uganda)

1. At its 25th and 26th meetings on 19 and 21 December 2007, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement submitted by the Secretary-General (A/C.5/62/21) on the programme budget implications of draft resolution A/C.3/62/L.65/Rev.1, as orally revised. At the 25th meeting, the Chairman of the Advisory Committee on Administrative and Budgetary Questions introduced the related report of that Committee (A/62/7/Add.28).

2. The statements and comments made in the course of the Fifth Committee's consideration of this question are reflected in the relevant summary records (A/C.5/62/SR.25 and 26).

3. At the 26th meeting, on 21 December, the representative of the United States of America requested a recorded vote on section K of draft decision A/C.5/62/L.17.

4. At the same meeting, the Committee adopted, by a recorded vote of 94 to 40, with 6 abstentions, section K of draft decision A/C.5/62/L.17 (see para. 6). The voting was as follows:

07-66201 (E) 020108

In favour:[1]

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Botswana, Brazil, Brunei Darussalam, Burundi, Cambodia, Chile, China, Colombia, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahariya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saudi Arabia, Senegal, Singapore, South Africa, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Moldova, Monaco, Netherlands, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, Sweden, The former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Iceland, Japan, Liechtenstein, New Zealand, Norway, Switzerland.

5. Statements were made by the representatives of Canada and the United States of America in explanation of vote after the vote.

Decision of the Fifth Committee

6. The Fifth Committee, having considered the statement of programme budget implications submitted by the Secretary-General[2] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[3] decides to inform the General Assembly that, should it adopt draft resolution A/C.3/62/L.65/Rev.1, as orally revised, preliminary additional requirements up to $6,794,700 would be required under section 2, General Assembly and Economic and Social Council affairs and conference management ($4,895,900) and section 23, Human rights ($1,898,800), of the proposed programme budget for the biennium 2008-2009. The Committee recommends the General Assembly should take note of these preliminary estimates. Upon the conclusion of discussions and negotiations and the determination of the structure of the Durban Review Conference, including the regional preparatory meetings, detailed information on financial implications will be submitted.

[1] The delegation of Spain indicated that it had intended to vote against section K of draft decision A/C.5/62/L.17.

[2] A/C.5/62/21.

[3] A/62/7/Add.28.

United Nations A/62/623

General Assembly

Distr.: General
27 December 2007

Original: English

Sixty-second session
Agenda item 65
Report of the Human Rights Council

Letter dated 18 December 2007 from the Permanent Representative of Cambodia to the United Nations addressed to the Secretary-General

For many years now, Cambodia has been working closely with the United Nations in a number of areas of cooperation, especially with the United Nations agencies such as the United Nations Development Programme, the United Nations Children's Fund, the World Food Programme and others. However, in the area of human rights, Cambodia is deeply upset with the aggressive behaviour of the Special Representative of the Secretary-General on human rights in Cambodia, who, during his last visit to Cambodia, has gone beyond the limit that is acceptable.

I wish to recall article 17 of the Paris Peace Agreements of 1991, which states: "... after the end of the transitional period, the United Nations Commission on Human Rights should continue to monitor closely the human rights situation in Cambodia, including, if necessary, by the appointment of a Special Rapporteur ...".

Despite the fact that there is no longer a necessity for such a Special Representative, Cambodia continues to show its goodwill by accepting the Special Representative in order to further, jointly, the work to consolidate human rights in the country and to build closer cooperation with the United Nations.

However, the attitude and arrogance of Mr. Yash Ghai, during his visit to Cambodia from 1 to 10 December 2007 was unacceptable to the dignity of Cambodia as an independent State. During his visit, he insulted the Khmer nation and the royal Government of Cambodia by the following:

- Publicly and through the media, he looked down upon the Kingdom of Cambodia, a sovereign State, as "a country without rule of law". This is tantamount to comparing Cambodia to a primitive and anarchic society.
- More importantly, he incited the people in Cambodia to revolt against a democratically elected government, by stating, inter alia, "Sooner or later, people are going to rise ..., there is a limit to how far you could use coercion as a method of development".

07-66113 (E) 020108

This provocative action flagrantly contradicts the opinion survey which was conducted by the United States International Republican Institute (IRI) between 20 December 2006 and 20 January 2007, which showed that 71 per cent of Cambodians interviewed believed that "Cambodia is moving in the right direction".

In the face of the repeatedly insulting attitude of Mr. Yash Ghai, the Royal Government of Cambodia is now considering whether the Secretary-General's Special Representative is "still necessary", as stipulated in article 17 of the Paris Peace Agreement, while, since then, Cambodia has been moving smoothly and irreversibly on the path towards respect of human rights, to a much greater extent than many countries in the region where there are no special representatives on human rights.

I would be grateful if you could arrange to have the present letter circulated as a document of the General Assembly under agenda item 65 entitled "Report of the Human Rights Council".

(*Signed*) Kosal **Sea**
Ambassador and Permanent Representative of the
Kingdom of Cambodia to the United Nations

United Nations A/62/624–S/2007/765

General Assembly
Security Council

Distr.: General
28 December 2007

Original: English

General Assembly
Sixty-second session
Agenda item 87
Report of the International Atomic Energy Agency

Security Council
Sixty-second year

Letter dated 12 December 2007 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

I have the honour to bring the following to your attention with regard to the United States National Intelligence Estimate (NIE) of November 2007, which clearly shows that the long-standing allegations of the United States of America against the nuclear programme of the Islamic Republic of Iran have been entirely groundless.

The NIE report, which has reversed some of its own previous conclusions — made in 2005 — against Iran's peaceful nuclear programme, attests to the fact that the very pretexts by which Iran's nuclear programme was referred to the Security Council have been, from the outset, flawed and unfounded. Moreover, the report has exposed the past attempts of the United States to distort intelligence to pursue its politically motivated ends with regard to Iran's peaceful nuclear programme. It also demonstrates that the United States has been engaged in a systematic and relentless fear-mongering campaign in relation to a so-called "nuclear weapons programme" of Iran, which has been simply an illusion and has never existed, in order to deliberately mislead the Security Council and push it to take unlawful actions against Iran. It is noteworthy that, in the wake of the said report, the Director General of the International Atomic Energy Agency (IAEA) stressed that Iran has been "vindicated in saying it has not been working on a weapons programme".

I wish to make it clear that the NIE report contains certain baseless allegations, including, among others, its fictitious supposition that Iran had been working on a so-called "nuclear weapons programme" before 2003, which are totally unfounded and which we categorically reject. Iran's nuclear programme has been, is and will remain absolutely peaceful. This position of Iran has also been confirmed by the IAEA reports, which have found no evidence or indication that any military nuclear programme has ever existed in our country. The IAEA has stressed on numerous occasions that "the Agency has not seen any diversion of nuclear materials to nuclear weapons or other nuclear explosive devices" in Iran. Such allegations of the

07-66171 (E) 020108

NIE report have also been rejected by some permanent members of the Security Council in the past, and also in the aftermath of the release of the NIE report.

Numerous IAEA reports, particularly the most recent one, together with the said NIE report as well as various assertions and statements made by international figures and some members of the Security Council, all testify that Iran neither had any military nuclear programme in the past nor does it possess any such a programme at present. In view of all these assertions and reports, there has never been any justification for the involvement of the Security Council in this issue, and therefore, the measures taken by the Council thus far lack any legal basis.

As it has been time and again stressed by various Iranian officials, Iran's nuclear programme has been and remains under the full monitoring of IAEA. Iran has thus far taken various essential steps and has exercised a great deal of goodwill and indulgence in its cooperation with IAEA, and has taken important confidence-building measures which go even far beyond its treaty obligations. Iran will continue its constructive cooperation with the Agency as the sole competent body to deal with this issue. Iran's cooperation with IAEA according to the workplan concluded between the two sides in August 2007, is advancing in a positive, timely and satisfactory manner and, as a result, some of the most important outstanding issues have already been resolved and others are to be discussed with a view to their final resolution. All Iranian nuclear activities, including enrichment, are carried out according to the IAEA statute, the Nuclear Non-Proliferation Treaty and the comprehensive safeguards agreement, and are under the full and continuous monitoring of the Agency. Such a robust cooperation on the part of Iran has led to the Agency's constant conclusion that no indication of diversion has been seen in Iran's peaceful nuclear activities.

In light of the above, the time has come for the Security Council to put an end to its unlawful consideration of Iran's nuclear issue and to send the dossier back to its technical and competent forum, namely IAEA. The Council should allow the Agency to perform its functions free from any pressure.

Unquestionably, any further involvement by the Security Council in this regard will have no justification and will only complicate the situation and undermine the credibility and authority of IAEA.

I would appreciate if you could circulate the present letter as a document of the General Assembly, under agenda item 87, Report of the International Atomic Energy Agency, and of the Security Council.

(*Signed*) Mohammad **Khazaee**
Ambassador
Permanent Representative

United Nations A/62/625

General Assembly

Distr.: General
28 December 2007
English
Original: Spanish

Sixty-second session
Agenda item 24
Question of the Falkland Islands (Malvinas)

Letter dated 21 December 2007 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the following texts:

Annex I. Note from the Argentine Government addressed to the Permanent Representation of Portugal to the European Union, currently holding the Presidency of the Council of the European Union, the Presidency of the European Commission and the Presidency of the European Parliament

Annex II. Note from the Argentine Government addressed to the Embassy of the United Kingdom of Great Britain and Northern Ireland

Annex III. Press release from the Argentine Government.

The Argentine Government would be grateful if this letter and its annexes could be circulated as a document of the General Assembly under agenda item 24.

(*Signed*) Jorge **Argüello**
Ambassador
Permanent Representative

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Annex I to the letter dated 21 December 2007 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

Note from the Argentine Government address to the Permanent Representation of Portugal to the European Union, currently holding the Presidency of the Council of the European Union, the Presidency of the European Commission and the Presidency of the European Parliament

Brussels, 13 December 2007

The Embassy of the Argentine Republic to the European Union has the honour to refer to the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community, which was signed in that city today, 13 December 2007, by the Heads of State and Government of the member States of the European Union.

With regard to the list of overseas countries and territories (annex II) to which the "Association of the overseas countries and territories" regime provided for in part four of the Treaty establishing the European Community applies, the Argentine Republic recalls that the Malvinas Islands, South Georgia and the South Sandwich Islands, as well as the Argentine Antarctic Sector, are an integral part of its national territory.

Accordingly, the Argentine Government rejects the attempt to include those parts of the Argentine national territory in the list of territories to which the "Association of the overseas countries and territories" regime provided for in the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community signed on 13 December 2007 applies.

The Argentine Republic reiterates its position, as set forth in its note CEE No. 43 of 25 July 1972 addressed to the Secretary-General of the Council on the occasion of the signing of the Treaty of Accession of the United Kingdom of Great Britain and Northern Ireland to the European Community and in subsequent communications in which the Argentine Republic rejected the inclusion of the Malvinas Islands, South Georgia and the South Sandwich Islands, as well as the so-called "British Antarctic Territory", in the list of territories to which part four of the Treaty establishing the European Community applies, reiterated its position and made an express reservation regarding its sovereign rights over the Malvinas Islands, South Georgia and the South Sandwich Islands and the surrounding maritime areas, and over the Argentine Antarctic Sector.

The Argentine Republic further recalls that when it became aware that the draft treaty amending the Treaty on European Union and the Treaty establishing the European Community had been approved by the Heads of State and Government of the member States of the European Union and found that the new text still included the Argentine territories illegally occupied by the United Kingdom, in the list of overseas countries and territories, the Argentine Government reaffirmed its sovereignty over the Malvinas Islands, South Georgia and the South Sandwich Islands, reiterated its position and once again informed the European institutions of its rejection of the attempt to include those parts of the Argentine national territory

in the list of overseas territories to which the "Association of the overseas countries and territories" regime applies, in notes CEE Nos. 99, 100, 101 and 102 of 5 November 2007, addressed to the Presidencies of the Council, the European Commission and the European Parliament and to the Secretary-General of the Council of the European Union, respectively, and to all the member States of the European Union.

The attempt to include the Argentine islands of the South Atlantic, which are an integral part of the Argentine national territory, in the list of overseas territories to which the "Association of the overseas countries and territories" regime applies is in violation of Argentina's sovereignty over those islands. With regard to the Malvinas Islands, South Georgia and the South Sandwich Islands, it is also contrary to the fact that in view of their illegal occupation by the United Kingdom, those archipelagos are the subject of a sovereignty dispute recognized by the United Nations and other international organizations.

The Argentine Government expects the European Union and its member States to bear in mind that the shared obligation of Argentina and the United Kingdom to resolve this dispute necessarily and inevitably requires that all other States, individually and in their collective action, must refrain from carrying out acts that could impede the fulfilment of that obligation. That entails refraining from carrying out acts that distort the nature and scope of the dispute and also from assisting either of the parties to the dispute in carrying out unilateral acts in overt violation of resolutions of the United Nations General Assembly.

Furthermore, the Argentine Republic calls upon the European Union, in accordance with the principles of international law, to take into account the existence of the sovereignty dispute between Argentina and the United Kingdom over the Malvinas Islands, South Georgia and the South Sandwich Islands and the surrounding maritime areas, so that any reference to those territories in the documents of the European Union reflects their disputed status.

It should also be noted that the inclusion of the so-called "British Antarctic Territory" in the list referred to above does not in any way affect the rights of the Argentine Republic over the Argentine Antarctic Sector. It is also necessary to bear in mind the provisions of article IV of the Antarctic Treaty, to which both the Argentine Republic and the United Kingdom are parties.

The Argentine Government reaffirms its legitimate rights of sovereignty over the Malvinas Islands, South Georgia and the South Sandwich Islands and the surrounding maritime areas, as well as over the Argentine Antarctic Sector.

Annex II to the letter dated 21 December 2007 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

Note from the Argentine Government addressed to the Embassy of the United Kingdom of Great Britain and Northern Ireland

Buenos Aires, 13 December 2007

The Office of the Under-Secretary for Foreign Policy in the Ministry of Foreign Affairs, International Trade and Worship presents its compliments to the Embassy of the United Kingdom of Great Britain and Northern Ireland and has the honour to refer to the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community, which was signed in that city today, 13 December 2007, by the Heads of State and Government of the member States of the European Union, in connection with the inclusion of the Malvinas Islands, South Georgia and the South Sandwich Islands and the so-called "British Antarctic Territory" in annex II of the Treaty establishing the European Community.

The Argentine Government strongly objects to the inclusion in the aforementioned annex II of the Malvinas Islands, South Georgia and the South Sandwich Islands, which are an integral part of the territory of the Argentine Republic and are illegally occupied by the United Kingdom of Great Britain and Northern Ireland.

In this regard, it notes that the inclusion of these territories in annex II, which refers to part four, "Association of the overseas countries and territories", of the Treaty establishing the European Community, in no way affects the sovereignty and jurisdiction of the Argentine Republic over these territories.

Furthermore, it points out that the inclusion of the so-called "British Antarctic Territory" in the aforementioned annex II does not affect the rights of the Argentine Republic in the Argentine Antarctic Sector, which is an integral part of the territory of the Argentine Republic. It also stresses that the provisions of article IV of the Antarctic Treaty signed on 1 December 1959, to which the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland, among other States, are parties, must be borne in mind.

The Argentine Republic reiterates the position set forth in note No. FO/215 of 6 July 1972, addressed to the Secretary of State for Foreign and Commonwealth Affairs, and in note CEE No. 43 of 25 July 1972, addressed to the Secretary-General of the Council of the European Union, on the occasion of the signing of the Treaty of Accession of the United Kingdom to the European Community, and in subsequent communications, in which the Argentine Republic rejected the inclusion of the Malvinas Islands, South Georgia and the South Sandwich Islands, as well as the so-called "British Antarctic Territory" in the list of overseas countries and territories to which part four of the Treaty establishing the European Community applies, reiterated its position and made an express reservation regarding its sovereign rights over the Malvinas Islands, South Georgia and the South Sandwich Islands and the surrounding maritime areas, and over the Argentine Antarctic Sector.

Accordingly, the Government of Argentina has enclosed copies of notes CEE No. 117/07 to the Presidency of the Council of the European Union, CEE

No. 115/07 to the Presidency of the Commission and CEE No. 116/07 to the Presidency of the European Parliament, of 13 December 2007, reaffirming its position to the European institutions on the occasion of the signing of the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community.

The Argentine Government recalls that the United Nations General Assembly has adopted resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25, recognizing the existence of a sovereignty dispute, referred to as the "Question of the Malvinas", and urging the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to resume negotiations in order to reach a peaceful, just and lasting solution to the dispute as soon as possible.

For its part, on 21 June 2007, the United Nations Special Political and Decolonization Committee once again took the position that the way to put an end to the special and particular colonial situation in the "Question of the Malvinas" is the peaceful and negotiated settlement of the dispute over sovereignty between the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland.

The United Kingdom has ignored the repeated calls of the international community to resolve the sovereignty dispute over the Malvinas Islands, South Georgia and the South Sandwich Islands and the surrounding maritime areas referred to above, despite the continued willingness to resume negotiations expressed by the Argentine Republic.

The Argentine Government deeply regrets the continuing refusal of the British Government to resume bilateral negotiations in order to resolve the sovereignty dispute over the Malvinas Islands, South Georgia and the South Sandwich Islands and the surrounding maritime areas. The Argentine Government also considers that this refusal, which is contrary to the United Kingdom's obligations as a party to the dispute, is incompatible with the principles of the Charter of the United Nations.

The Argentine Government further considers that the British Government should not continue to ignore both the existence of this bilateral dispute and its consequences in its relations with the member States of the European Union, which are committed to going ahead with the most advanced regional integration initiative that currently exists.

The Argentine Republic reaffirms its sovereign rights over the Malvinas Islands, South Georgia and the South Sandwich Islands and the surrounding maritime areas, which are an integral part of its national territory.

Annex III to the letter dated 21 December 2007 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

Press release

Buenos Aires, 13 December 2007

Argentina rejects the inclusion of the Malvinas Islands, South Georgia and the South Sandwich Islands and the Argentine Antarctic Sector in the Treaty of Lisbon

As part of its constant policy of reaffirmation of its legitimate sovereign rights over the Malvinas Islands, South Georgia and the South Sandwich Islands and the surrounding maritime areas, in accordance with the constant and unwavering objective of the Argentine people, enshrined in the national Constitution, to regain the full exercise of Argentine sovereignty over our southern archipelagos, today, 13 December 2007, the Argentine Government informed the institutions and member States of the European Union of its rejection of the attempt to include parts of the Argentine national territory in the list of countries and territories to which the "Association of the overseas countries and territories" regime of the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community applies.

In the context of this constant policy of unwavering and irrevocable reaffirmation of the sovereignty of the Argentine Republic over these territories, as affirmed by Ms. Cristina Fernández de Kirchner, the President of Argentina, in her speech to the legislative assembly on 10 December upon taking office, and without prejudice to the fact that inclusion in the aforementioned list in no way affects the legitimate sovereign rights of the Argentine Republic over the Malvinas Islands, South Georgia and the South Sandwich Islands and the surrounding maritime areas as well as the Argentine Antarctic Sector, the Argentine Government, at the time of the signing of the Treaty of Lisbon, rejected that attempted inclusion, while reserving and reaffirming its sovereign rights.

Furthermore, today the Argentine Government delivered a protest note to the Embassy of the United Kingdom, firmly rejecting that attempted inclusion and confirming the position and the sovereign rights of the Argentine Republic.

In line with this constant policy, both at the time of the negotiations and when learning of the adoption of the draft treaty to reform the European treaties which was signed at Lisbon, in October and November 2007 respectively, the Argentine Government reiterated to the presidencies of the Council, the European Commission and the European Parliament and to the member States of the European Union its rejection of the attempt to include the Malvinas Islands, South Georgia and the South Sandwich Islands in the list of overseas countries and territories to which the regime of association envisaged in part four of the Treaty establishing the European Community applies.

In all its statements, the Argentine Government reaffirmed its sovereignty over these archipelagos, which are an integral part of the Argentine national territory, and recalled that, since they are being illegally occupied by the United Kingdom, these

archipelagos are the subject of a sovereignty dispute which has been expressly recognized as such by the United Nations and other international organizations and that the shared obligation of Argentina and the United Kingdom to resolve this dispute necessarily and inevitably requires that all other States, individually and in their collective action, must refrain from carrying out acts that could distort the nature and scope of the dispute, and refrain from assisting either of the parties to the dispute in carrying out unilateral acts in overt violation of the resolutions of the United Nations General Assembly.

It also rejected the attempt to include, in that list, the so-called "British Antarctic Territory", which in no way affects the rights of the Argentine Republic over the Argentine Antarctic Sector, and recalled the provisions of article IV of the Antarctic Treaty, to which both Argentina and the United Kingdom are parties.

The Argentine Government reaffirms its legitimate rights of sovereignty over the Malvinas Islands, South Georgia and the South Sandwich Islands and the surrounding maritime areas, as well as over the Argentine Antarctic Sector.

United Nations A/62/626–S/2007/767

General Assembly
Security Council

Distr.: General
28 December 2007

Original: English

General Assembly
Sixty-second session
Agenda items 17, 18 and 108

The situation in the Middle East

Question of Palestine

Measures to eliminate international terrorism

Security Council
Sixty-second year

Identical letters dated 28 December 2007 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I write to inform you of details regarding today's fatal terrorist attack, carried out by Palestinian terrorists in the West Bank, which resulted in the murder of two Israeli citizens.

Earlier today, Palestinian terrorists shot at three Israelis, two men and one woman, who were hiking in the southern Hebron Hills in the West Bank. The terrorists opened fire on the hikers in a drive-by shooting, killing the two men. The woman, who managed to hide during the attack, was later treated for shock. The Islamic Jihad terrorist organization has claimed responsibility.

This terrorist attack is a harrowing reminder of the devastating impact of Palestinian terrorism on the daily lives of Israeli civilians. While Israel remains committed to taking all steps to advance the peace process — as demonstrated by our continuous meetings with the Palestinian Authority in an effort to build on the momentum of Annapolis and steward the way forward to serious negotiations — the Palestinian Authority has yet to demonstrate its will to combat terrorism and fulfil its obligations under the various agreements, including the road map. Terrorism remains the greatest obstacle to peace and security in our region, and the Palestinian leadership must end the violence and dismantle the terrorist infrastructure.

Furthermore, there are clear indications that Islamic Jihad, the perpetrators of today's attack, as well as other terrorist organizations in our region, are financed and given shelter by other Member States, in direct contravention of international law, in particular Security Council resolution 1373 (2001) and other relevant Council resolutions. State sponsorship of terrorism seriously undermines the stability and security of our region. Israel demands that all States refrain from supporting and assisting terrorist organizations. The international community must reaffirm in no

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uncertain terms its absolute intolerance for terrorism and the aiding of terrorist organizations.

I should be grateful if you would have the contents of the present letter circulated as a document of the sixty-second session of the General Assembly, under agenda items 17, "Situation in the Middle East", 18, "Question of Palestine", and 108, "Measures to eliminate international terrorism", and of the Security Council.

(*Signed*) Dan **Gillerman**
Ambassador
Permanent Representative